

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEF DAVID WILLIAMS,

Defendant.

CR-09-61-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on October 16, 2019. (Doc. 47.) Josef Williams (Williams) waived the 14 day objection period and his right to allocute before the undersigned.

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations,

however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Judge Johnston conducted a revocation hearing on October 15, 2019. (Doc. 46.) The United States accused Williams of violating his conditions of supervised release by: 1) by failing to successfully complete his sex offender treatment program; 2) by knowingly being in the company of a child under the age of 18; and; 3) by possessing a Facebook account without the prior approval of his probation officer; and 4) by possessing a smart phone and a Facebook Account without the prior approval of his probation officer. (Doc. 39.)

Williams admitted to allegations 2, 4(b) and 5. The Court dismissed alleged violation 1 and 4(a) on the government's motion. The government failed to satisfy its burden of proof with respect to alleged violation 3. (Doc. 46.) Judge Johnston found that Williams' violations warrant revocation, and recommended a sentence of 4 months of custody, with supervised release for life. (Doc. 47 at 3.)

This violations prove serious and warrant revocation of Williams' supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 47) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Josef David Williams be sentenced to custody to four months, with a lifetime of supervised release to follow.

DATED this 16th day of October, 2019.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Brian Morris
United States District Court Judge